AMENDMENTS TO THE SPECIFICATION

Please amend this application on page 1, line 1, by inserting the following new paragraph:

This is a division of Application No. 10/191,478, filed July 10, 2002, the contents of which are herein incorporated by reference. Application No. 10/191,478 claims the foreign priority benefit of Japanese Applications No. 2001-210659, filed July 11, 2001, 2001-284407, filed September 19, 2001, and 2002-053085, filed February 28, 2002.

Please replace **[0015]** with the following amended paragraph:

[0015] In accordance with the second aspect of the present invention, an aberration compensating optical element comprises:

a diffractive structure having a plurality of ring-shaped zone steps formed on at least one surface of the aberration compensating optical element;

wherein the aberration compensating optical element is adapted for being disposed on an optical path between a light source for emitting a light having a wavelength of not more than 550nm, and an objective lens made of a material having an Abbe constant of not more than 95.0 at a d-line; and

wherein at least one ring-shaped zone step having a step distance Δ (mm) in a direction of an optical axis between adjacent steps of the plurality of ring-shaped zone steps is formed within an effective diameter so that m_λ defined by following equations:

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$$m = INT(Y),$$

$$Y = \Delta \times (n-1)/(\lambda_0 \times 10^{-3}) \qquad (3),$$

is an integer except 0 and ±1,

where INT(Y) is an integer obtained by rounding Y, λ_0 is the wavelength (nm) of the light emitted from the light source, and n is a refractive index of the aberration compensating optical element at the wavelength λ_0 (nm).

Please replace **[0069]** with the following amended paragraph:

[0069] It is preferable that at least one ring-shaped zone step having a step distance Δ (mm) in a direction of an optical axis between adjacent steps of the plurality of ring-shaped zone steps is formed within an effective diameter so that m, defined by following equations:

$$m = INT(Y),$$

$$Y = \Delta \times (n-1)/(\lambda_0 \times 10^{-3}) \qquad (33),$$

is an integer except 0 and ±1,

where INT(Y) is an integer obtained by rounding Y, λ_0 is the wavelength (nm) of the light emitted from the light source, and n is a refractive index of the aberration compensating optical element at the wavelength λ_0 (nm).

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